

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOHN H. HAMPTON,

Plaintiff,

vs.

No. 10 cv 1029 WDS/ACT

WILLIAM HEIN,  
a Representative of the State of New Mexico  
Department of Corrections, Adult Probation  
and Parole Division, Individually;

LARRY FRANCO,  
a Representative of the State of New Mexico  
Department of Corrections, Adult Probation  
and Parole Division, Individually;

THOMAS C. HAVEL,  
Administrator of Adult Detention,  
San Juan County Detention Center,  
San Juan County, New Mexico, Individually;

Defendants.

**ORDER GRANTING LEAVE TO CONDUCT LIMITED  
DISCOVERY PURSUANT TO FED. R. CIV. PROC. 56(f)**

This matter comes before the Court in connection with Defendant Thomas Havel's Motion for Summary Judgment. (Doc. 27) Plaintiff has filed opposition to the motion, arguing in part that he should be allowed to depose Mr. Havel before the Court rules on the motion for summary judgment. In the Court's opinion Plaintiff's request pursuant to Rule 56(f) for limited discovery is well taken. Plaintiff is granted leave to conduct the deposition of Mr. Havel within 20 days of the date of this order. Plaintiff then has another ten days in which to file a supplemental brief in opposition to the motion for summary judgment, or notify the Court that a supplemental brief will

not be filed.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'W. Daniel Schneider', is positioned above a horizontal line.

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W. Daniel Schneider  
United States Magistrate Judge